



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|----------------------|------------------|
| 10/630,602 | 07/30/2003 | Fred J. Peterson | PTR-10-5651 | 8693 |
| 23266 | 7590 | 09/08/2004 | EXAMINER | |
| DRIGGS, LUCAS, BRUBAKER & HOGG CO., L.P.A. DEPT. DLBH 8522 EAST AVENUE MENTOR, OH 44060 | | | PAYER, HWEI SIU CHOU | |
| | | ART UNIT | PAPER NUMBER | |
| | | 3724 | | |

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|-------------------|-------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 10/630,602 | PETERSON, FRED J. |
| | Examiner | Art Unit |
| | Hwei-Siu C. Payer | 3724 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final..
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1 and 11 is/are rejected.
- 7) Claim(s) 2-10 and 12-20 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Detailed Action

Drawings Objection

The drawings are objected to because Fig.1 is an admitted prior art and should be so labeled.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Objection to the Specification

The disclosure is objected to because of the following informalities:

- (1) On page 5, line 6, "Figure 7 is" should read --Figures 7A, 7B and 7C are--.
- (2) On page 8, line 3, "54" should read --52--.
- (3) On page 8, line 21, reference numeral "90" is not found in Fig.5.
- (4) On page 9, line 22, "outer edge of the rear element 93" should read --outer edge 93 of the rear element 94--.
- (5) On page 9, line 22 to line 1 of page 10, "outer edge of the front element 95" should read --outer edge 95 of the front element 92--.
- (6) On page 11, line 1, "104" should read --130--.
- (7) On page 15, line 6, reference element "102a" should be deleted since it has not been described in the specification.
- (8) On page 15, line 6, "95" should read --92--.
- (9) On page 15, line 20, reference numeral "232" has not been described in the specification.

Appropriate correction is required.

Claims Objection

Claims 1-20 are objected to because of the following informalities:

- (1) In claim 1 (at line 11) and claim 11 (at line 12), "front vertical flange" should read --the front vertical flange-- since it refers to the one previously cited.

(2) In claim 2 (at line 3) and claim 12 (at line 5), "the hinge connection" should read --the hinge-- (note line 2 of the claims).

(3) In claim 2 (at line 7) and claim 12 (at line 8), "front vertical flange" should read --the front vertical flange-- since it refers to the one previously cited.

(4) In claim 3 (at line 2) and claim 13 (at line 2), "front vertical flange" should read --the front vertical flange-- since it refers to the one previously cited.

(5) In claims 4 and 14 (at line 9), "rear vertical flange" should read --the rear vertical flange-- since it refers to the one previously cited.

(6) In claim 5 (at lines 1-2 and 6-7) and claim 15 (at lines 1 and 7), "the front cover horizontal cover region" should read --the front horizontal cover region-- (note line 3 of claim 1 and line 5 of claim 11).

(7) In claims 5 and 15 (at line 4), "the rear cover horizontal cover region" should read --the rear horizontal cover region-- (note line 2 of claims 4 and 14).

(8) In claim 5, line 6, "rear cover inner edge" should read --the rear cover inner edge-- since it refers to the one previously cited.

(9) In claim 5, lines 7-8, "front vertical flange", "rear horizontal cover region" and "rear vertical flange" should read --the front vertical flange--, --the rear horizontal cover region-- and --the rear vertical flange--, respectively, since they refer to the ones previously cited.

(10) In claim 7 (at line 2) and claim 17 (at line 1), "rear flange" should read --the rear flange-- since it refers to the one previously cited.

(10) In claim 7 (at lines 2-3) and claim 17 (at line 2), "back flange bottom edge" should read --the rear flange bottom edge--.

(11) In claim 14, line 1, "3" should read --13--.

(12) In claim 15, lines 6-8, "rear cover inner edge", "front vertical flange", "rear horizontal cover region" and "rear vertical flange" should read --the rear cover inner edge--, --the front vertical flange--, --the rear horizontal cover region-- and --the rear vertical flange--, respectively, since they refer to the ones previously cited.

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 102(b)

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 11 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Graham (U.S. Patent No. 4,630,371) or Gorski (U.S. Patent No. 4,823,464) or Nash (U.S. Patent No. Des. 347,773).

Indication of Allowable Subject Matter

Claims 2-10 and 12-20 are objected to as being dependent upon a rejected base claim, but would be allowable if amended to over the objection as set forth and rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pittinger, Sr. et al., Everts, Ryan, Becker et al., Franz, Cellini et al., Ezell, Cashman et al. are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 703-308-1405. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 703-308-1082. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 703-746-3293 for proposed amendments.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

H Payer
September 3, 2004

Hiwei-Siu Payer

Hiwei-Siu Payer
Primary Examiner